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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,245	10/30/2003	Kuntal Chowdhury	16149RR	2310
33000	7590	12/16/2008	EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/698,245	<b>Applicant(s)</b> CHOWDHURY ET AL.
	<b>Examiner</b> CongVan Tran	<b>Art Unit</b> 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 September 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-17, 21-27 is/are rejected.
- 7) Claim(s) 18-20 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-166/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. This Office Action is in response to amendment filed on Sept. 18, 2008.
2. Claims 1, 6-8, 13, 16, 21 and 25 have been amended.

#### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-5, 9-12, 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Iyer et al. (7,269,173).

Regarding claims 1, and 21-22, Iyer discloses a roaming in a communication network comprising the steps of:

receiving registration information (see fig.1, col.2, lines 19-30, and fig.3, step 31); self-selecting a home agent in response to receiving the registration information (see fig.1, col.2, lines 30-33, fig.3, step 33); and responding to the registration information in response to performing the self-selecting (see fig.1, col.2, lines 19-39, fig.3, step 38).

Regarding claim 4, Iyer further discloses the registration information comprises network access identifier information (see fig.4A, element 63).

Regarding claim 5, Iyer further discloses the registration information comprises mobile address information (see fig.4A, element 49).

Regarding claims 9, and 11-12, Iyer further discloses the steps of: generating a value (see figs.5-6, col.7, lines 10-15, fig.4A, element 49); determining that the value is within a range of number (see figs.5-6, col.7, line 10-17; and performing the step of

responding to the registration information in response to determining that value is with the range of numbers (see figs.5-6, col.7, lines 10-27)

Regarding claim 10, Iyer further discloses load balance is performed in response to performing the method of registering a mobile node (see fig.2, element 108a2)

Regarding claim 23-24, Iyer further discloses home agent is a wireless/wireline device (see abstract, fig.1, elements 16/22a-b).

4. Claims 13-17, and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Funabiki et al. (2005/0020265).

Regarding claims 13-17, and 25-27, Funabiki discloses a mobile node, router, server and method for mobile communication, comprising the steps of: receiving registration information at a home agent (see abstract, figs.1-2, element 11/14); identifying the registration information as a retransmission of a registration request in response to receiving the registration information (see paragraph [0023]); generating a value in response to identifying the registration information as a retransmission of a registration request (see paragraph [0023] and paragraph [0029]); comparing the value to a predefined range of numbers in response to generating the value (see paragraph [0138] and fig.5, step S2607); and if the value falls within the predefined range of numbers, responding to the registration information (see fig.5, paragraph [0139] step S2608-S26010).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2617

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2-3, and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Iyer et al. (7,269,173).

Regarding claim 2, Iyer discloses all the subject matter described in rejected claimed except for registration is RFC 3422. However, Request For Comment (RFC) 3422 is later revisions of the protocol enhancement. Thus, it would have been obvious to the one having ordinary skill in the art at the time the invention was made to use this later revision of the protocol RFC 3422 to manage the rapidly growing methods of internet usage and access.

Regarding claim 3, Iyer discloses all the subject matter described in rejected claimed except registration information comprises timestamp information. However, timestamp is well known use to record of the starting point.

Regarding claims 6-8, Iyer discloses all the subject matter described in rejected claimed except Hashing/Round Robin or Pearson algorithm. However, Hashing/Round Robin or Pearson algorithm is well known use to load balance the request between the available home agents.

***Allowable Subject Matter***

7. Claims 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CongVan Tran/  
Primary Examiner, Art Unit 2617